

### **REMARKS/ARGUMENTS**

Claims 1, 2, 4, 5, and 8 have been rejected. Claims 4 and 5 have been amended to remove reference to "or suppressing." Accordingly, no new matter has been introduced by way of these claim amendments.

Claims 1, 2, 4, 5, and 8 are currently pending in the application. Reexamination and reconsideration of the claims are respectfully requested in view of the following remarks. The Examiner's comments in the Office Action dated September 18, 2008 are addressed below in the order set forth therein.

#### **The Rejection of the Claims Under 35 U.S.C. §§101 and 112, First Paragraph, Should Be Withdrawn**

The Examiner has maintained the rejections of claims 1, 2, 4, 5, and 8 under 35 U.S.C. §§101 and 112, First Paragraph (enablement). This rejection is traversed for the reasons provided below.

As the basis for the Examiner's rejections, the Examiner states that the usefulness of the mouse of the present invention cannot be found in the screening of TRAM inhibitors. By considering this assessment, Applicants have amended claims 4 and 5 by limiting to "A method for screening a substance promoting a response to a ligand recognized by TLR4", and argue that a person skilled in the art could readily understand that a mouse of the present invention and cells thereof play a critical role in the screening of TRAM promoters. Accordingly, Applicants respectfully submit that the present invention is allowable.

Appl. No.: 10/573,212  
Amdt. Dated December 16, 2008  
Reply to Office action of September 18, 2008

### **CONCLUSION**

In view of the aforementioned amendments and remarks, Applicants respectfully submit that the rejections of the claims under 35 U.S.C. §§101 and 112, First Paragraph, are overcome. Accordingly, Applicants submit that this application is now in condition for allowance. Early notice to this effect is solicited.

It is not believed that extensions of time or fees for net addition of claims are required. However, in the event that extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. §1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

/edward r. ergenzinger/

Edward R. Ergenzinger  
Registration No. 49,549

**Customer No. 00826**  
**ALSTON & BIRD LLP**  
Bank of America Plaza  
101 South Tryon Street, Suite 4000  
Charlotte, NC 28280-4000  
Tel Raleigh Office (919) 862-2200  
Fax Raleigh Office (919) 862-2260

ELECTRONICALLY FILED USING THE EFS-WEB ELECTRONIC FILING SYSTEM OF THE UNITED STATES PATENT & TRADEMARK OFFICE ON DECEMBER 16, 2008.